

1894-042 Chancery Causes: Nannie Harber & vs. Adm. of Joseph Thomas &
Lee Co.

Ayers, Chadwell, Morgan, Carmony, Mink, Campbell, Boles,
Moore, Fulkerson, Richmond, Burchett

CA - Estate Dispute
T - Property

In the Circuit Court of Lee County, Virginia:

At 2nd December Rules, 1893.

To the Hon. H. S. K. Morrison, Judge of said Court:

Humbly Complaining, your oratrices, Nannie
Harber, Ellen Ayers, Etta Thomas, and Alice
Chadwell, would Respectfully represent and
shew unto your Honor that Their father
Joseph Thomas died on the day of 1884,
Intestate; that he left the following children
and heirs at Law, to-wit: Your oratrices,
Catherine Harmony, Otto Mink, John
Thomas and Charley Thomas; that the
said Joseph Thomas died seized and pos-
sessed of a large personal estate, worth
not less than \$2500⁰⁰; That John M.
Morgan was on the 16th day of September,
1884, by the County Court of Lee County, duly
appointed and qualified as his admin-
istrator, and executed bond as the
Law directs with James S. Morgan his
security in the sum of \$2500⁰⁰, con-
ditioned according to Law, and
at once entered upon the duties of ad-
ministering said personal estate as
required by Law. A Copy of said
appointment, qualification and bond
is herewith filed marked "A." Though
more than nine years have now elap-
sed the said John M. Morgan, Admin^r
as aforesaid has not made any settlement
of his account as such administrator of the
estate of Joseph Thomas, dec'd, as was his
duty.

2-
1 duty, and your Oratrices is informed
2 that he is Insolvent and therefore
3 allege that fact, and make his secu-
4 rity, James D. Morgan a party to this
5 suit for that reason.

6 The object of this bill is to have a settle-
7 ment of the Administrations Account of
8 John M. Morgan, Administrator of the
9 estate of Joseph Thomas, deceased; to
10 have distribution of said estate among
11 those entitled, and to have a decree for
12 the sum to which each person is entitled
13 against John M. Morgan, Admin of the estate
14 of Joseph Thomas, deceased, and against
15 James D. Morgan, Security in his Offi-
16 cial bond as such.

17 The prayer of your Oratrices is that John
18 M. Morgan, Admin of the estate of Joseph Thomas
19 deceased, James D. Morgan, Catherine
20 Carmony, Arto Mink, John Thomas, and
21 Charly Thomas be made parties defend-
22 ant to this bill, and that they be requi-
23 red to answer the same, but not
24 upon oath, that being waived;
25 that the administrations account of
26 John M. Morgan, Admin of the estate
27 of Joseph Thomas, dec'd be settled by
28 a Commissions appointed for the pur-
29 pose; that distribution of the estate
30 found in his hands be had
31 among those entitled; that
32 James D. Morgan, the security

1 of the said Administrator be
2 decreed liable along with him
3 for any money found in his
4 hands; that general relief be
5 granted your Petrices, and
6 as in duty bound they will
ever pray.

7 May the Commonwealth's Council
8 of Pa. issue, directed to
9

10 *John T. Ryan*
11 *Attorney at Law*
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Plffs costs
recovered

C	7.71
S	4.00
Comm	50.26
Wits	7.82
Co clk	.30
Atty	15.00
	<u>\$85.09</u>
	9.27
	<u>\$94.36</u>

103
9
9.27

16.88

Wm A. Orr, Atty
R. L. Sewell

Bill in Chancery

Nannie Harbert et al
against

John M. Morgan Adm'r et al

1894 - 1st Jan'y Rules Bill filed Sep 24
Decree nisi
" 2 Jan'y Rules & confirmed and
Cause set for hearing by Plff

November Term 1894
Decree final Dec Chcy
Order Book Page 82

John M. Morgan
Arthur Harbert
John Thomas
John Thomas
Nannie Harbert
Ellen Ogden
Lilla Thomas
Alice Thomas

Nannie Harber et al

against

} In Chy-

John M Morgan Admin. et al }

This cause came ^{on} this day to be
again heard upon the papers formerly
read & the report of A. M. Goins
special commissioner, filed Oct 1st 1894
to which there are no exceptions
and was argued by counsel. On
consideration of which the Court doth
adjudge ~~ordered~~ & decree that the said
report be & is hereby confirmed, and
it is further adjudged, ordered & decreed
that M. E. Thomas recover of John M
Morgan administrator of the estate of
Joseph E. Thomas dec'd & James S.
Morgan his surety the sum of \$84⁷⁶
with interest thereon from the 5th day
of November 1894 till paid, and that
Catherine Carmony recover of the said
John M. Morgan & the said James
S. Morgan the sum of \$98³² with
interest from 5th day of Nov. 1894 till
paid, and that Nanny J. Harber
recover of the said John M. Morgan
& the ^{said} James S. Morgan the sum of \$101¹⁹
with interest from 5th day of Nov. 1894
till paid, and that Chas Thomas re-
cover of the said John M Morgan &
the said James S Morgan the sum
of \$112⁴⁸ with interest thereon from
the 5th day of Nov. 1894 till paid.

for each of said sums specified may issue in the name of
each of said parties for the refusal to sum herein directed
therein

and that Arty Mink recover of the
said John M. Morgan & James D. Mor-
gan the sum of \$134²⁹ with interest
~~from 5th day of Nov. 1894 till paid,~~
and that John Thomas recover of the
said John M. Morgan & the said
James D. Morgan the sum of \$116⁹¹
with interest thereon from the 5th day
of Nov. 1894 till paid, and that R.
Helen Ayers recover of the said John
M. Morgan & the said James D. Morgan
the sum of \$138²¹ with interest from
the 5th day of Nov. 1894 till paid, and
that Alice Thomas recover of the
said John M. Morgan & the said
James D. Morgan the sum of \$188⁴⁷
with interest thereon from the 5th
day of Nov. 1894 till paid. And it
further adjudged, ordered & decreed
that the Heirs of Joseph E. Thomas decd,
namely, M. E. Thomas, Catherine Carmory
Mumy & Harber, Chas Thomas, Arty Mink
John Thomas, R. Helen Ayers, and Alice
Thomas recover of the said John
M. Morgan administrator &c & the said
James D. Morgan his surety the costs
of this suit. And it is further
adjudged, ordered & decreed that 10 per
cent of the amounts recovered by the
said Heirs of Joseph E. Thomas and from the
said John M. Morgan & the said James
D. Morgan be paid to W. A. Orr & D. C. Samuel

attorney for said heirs, ^{for their services} & this cause
is stricken from the docket.

Nannie Harbor chal

753. Secret final

John M. Morgan admstr

Nov. 7. 1894-

Entered in Chancery
Order Book Page
No 82

Enter this

M. L. M.

Nov. 14th 1894-

Enter this

Nov. 14th 1894-

Nannie Harbes et al

vs

John M. Morgan Adm'r et al

In Chancery

This Cause came on this day to be heard upon the bill, Spe. executed upon the defendants, decree nisi confirmed, argument of Counsel for Complainants — and the defendants not having appeared and filed to or answered the bill the same is taken for confessed by them and each of them; Upon Consideration of which the Court adjudges, orders and decrees that Andrew M. Goins be and is hereby appointed a Special Commissioner, whose duty it is hereby made to make, state and settle the administration account of John M. Morgan, Administrator of the estate of Joseph Thomas, deceased; that he charge said Administrator with all money and estate which went into his hands or which should have gone into his hands; that he make report of the same to the next term of this Court; that he report any matter which he deems pertinent, and any matter required to be reported

Waverly Harbor et al

vs Johnson for account

J. H. Morgan, Administrator

C. A. 073, Page 550

Enter this decree

W. H. M.

3/8/94

By any one interested in this
Cause; that he give due notice
to all persons interested of the
time and place of his sitting,
and the Cause is continued.

Nannie Harber et al.

v. s.

John M. Morgan, Admr. et al. } In Chy.

The depositions of Chas. Thomas, H. H. Mink, ~~X X X X X~~, B. C. Campbell, J. R. Thomas, and others, taken pursuant to notice, before Me. A. M. Guins, Special Commissioner in the above styled cause, to be read in the determination of the questions referred to me as Special Commr. in said cause.

1st Chas Thomas, a witness of lawful age, after having been first duly sworn, deposes as follows:

I am a son of Joseph Thomas, dec'd, and was at the sale of his personal property, made by his Administrator, John M. Morgan, ^{I know} that the following property was ^{sold} made to the following persons, and at the following prices:

1st one cane mill sold to S. E. Roland, John L. Roland, G. B. Burchett and Wm Brittain for the sum of \$10 ⁰⁰/₁₀₀

2nd One big plow sold to H. H. Mink
for \$7⁰⁰/₁₀₀; 3rd One barrow sold
to G. B. Burchett for \$2. (and
some odd cents); 4th four fat
hogs sold to G. B. Burchett for
\$50; 5th One sow and pigs sold
to G. B. Burchett for \$11⁰⁰/₁₀₀; 6th
two hundred and twelve bushels
of wheat sold to different par-
ties at \$1⁰⁰/₁₀₀^{per} bushel; 7th sixteen
bee-hives sold to H. H. Mink for \$16;
8th five or six sheep sold to H. H.
Mink for the sum of \$14; 9th
one cow sold to John Woodward
for the sum of \$28; 10th one red
heifer sold to H. H. Mink for the
sum of \$30.25; 11th two heifers
sold to Thomas Gavin for the sum
of \$57; 12th One red cow and calf
sold to P. P. Brooks for the sum of
\$40; 13th One colt sold to John Wood-
ward for the sum of \$42.75; 14th
One mare sold to D. T. Ayers
15th One grind rock ^{also Thomas for 20 cts.}
for the sum of \$134.75; I also
know that C. N. Morgan bought
at private sale from said Adams
the sum of six hundred bushels

of corn, and he told me
that he was to pay 40 cts-
per bushel. I knew that the
Admr. sold some corn to M. E.
Thomas and Elisabeth Thomas,
but I do not know how
much. I turned over to
said Admr. the ~~sum~~ ^{in cash} of \$17,
which was the cash my father
had on hand at the time
of his death.

I know that there went
into the hands of said Admr.,
or should have gone therein,
the following notes: one note
on W. R. Boles and H. C. F. Rich-
mond for the sum of \$524.17;
one note on Marion Moor for
the sum of \$75; two notes on
John M. Morgan for the joint
sum of from \$75 to \$100; one
note on Scott Davis for \$150,
as I was informed by the Admr.
himself.

The date of the sale by the Admr.
was Sept. 30, 1884, the day after
the property was appraised.

X-Examination

1st Ques

Do you know anything of the indebtedness of your father at the time of his death?

Ans. I know that my father owed the following sums: James Morgan, \$100; R. M. Bales, \$15; John D. Morgan, \$15. These are the only sums I know of.

Re-Examined by Ref.

Do you know whether or not the Admin. J. M. Morgan has paid any of the debts named by you?

Ans. I do not.

And further this deponent saith not. Charles Thomas

H. H. Mink, another witness of lawful age, after being first duly sworn deposes and says: that he was at the sale of the personal property of Joseph Thomas, made by John M. Morgan, his administrator; that he purchased and was interested in the purchase of the following property, and paid the fol-

Witness claims
attendance;

1 day, .50

mil. 28 1.244

\$1.94

Lowing prices therefor: one
 red heifer at the price of \$30.25;
 five or six sheep at the price
 of \$14; sixteen bee ~~hive~~ hives
 at the price of \$16; one big
 plow at the price of \$7. And
 witness recollects the following
 property was sold at said
 sale, ~~and~~ for the following
 prices, and to the following
 persons: D. T. Ayers, one mare
 at the price of \$134.75; one cow
 and calf to P. P. Brooks for \$40;
 two heifers to Thos. Coover at the
 price of \$51; one cow to John
 Woodward for \$28; One harrow
 to G. B. Burchett for \$2; one ~~carriage~~
 mill to John Roland, Sam Roland,
 G. B. Burchett and Wm Brittain
 for \$10; He heard John M. Morgan
 say that the Scott Davis note
 was for \$150. This conversation
 was in said Morgans office
 in the town of Jonesville
 on Jan, 1st 1894.

Witness claims
 attendance
 1 day, 50
 Mil 28, 1.44

 \$1.94

And further this deponent saith
 not.

H. T. ^{King} X Mark
 mark

B. C. Campbell, another witness of lawful age, after being first duly sworn, deposes and says: He was at the sale of the personal property of Joseph Thomas, sold by John M. Morgan Admr., and that he knows ~~that~~ the following property was sold to the following persons and at the following prices: old axe sold to Thos. S. Gibson, Jr., for 10 cts.; one harrow sold to G. B. Burchett for something over \$2; One Oliver plow sold to H. H. Mink for \$7; one cane-mill sold to John and Sam Rotam, Bill Brittan, and G. B. Burchett for \$10; fifteen or sixteen bee hives sold to H. H. Mink for \$16; a number of sheep sold to H. H. Mink \$14; one sow and pigs sold to ——— for \$11; One heifer sold to H. H. Mink for \$30.25; one mooley cow sold to John Woodward for \$28; one red cow and calf sold to R. P. Brook for \$40; two Leiffers sold to Thom Gavin for \$57; one black colt sold to ——— for \$42.50; one bay mare sold to

Witness claims
attendance:
1 day, .50
mil 28, 1644
\$1.94

D. F. Ayres for \$134.75:

And further this deponent with not.
B. C. Campbell

Witness claims
attendance;
1 day .50
Mil 28, 1.44
\$1.94

J. R. Thomas another witness was
summoned and appeared ~~and~~ ^{but,}
was not introduced and
examined.

A. M. Lewis,
Clerk.

Mary E. Thomas, a witness of
lawful age, being first duly
sworn, deposes and says:

Quest- 1 Please state whether or not
you purchase any corn from
John M. Morgan administrator of
your father's estate, if so how
much & at what price?

Ans. I got 10 bu. of corn which
I suppose came out of the
corn left by my father. I
was to ~~be~~ pay 50 per bu. for
said corn and the same
was to be ^{charge} ~~credited~~ to me
on the fund due me from
my father's estate.

2. Ques-

State whether or not your mother
got any of said corn also? if so
how much & at what price

Ans. My mother got 50 bushels -
25 bu. of which was allowed
her by law and the other
25 bu. she bought at 50
cts per bu.

X Examined.

1 You have never paid for said 10 bushels of corn
have you.

Ans. I never have - It was to go out
of my part of the ~~estate~~.
I have not yet given a receipt
for it.

2 Have you received anything else from
Mr Morgan or any one for him, if so
how much.

Ans. He has never paid me any
thing himself - Nath Morgan
paid me \$5⁰⁰ for him.

Witness
claims
50 cts

I gave G. B. Burchett an order
to him for \$20. I do not know
whether it has been paid or not,
the order has never been
returned to me. Hiram
Mink paid Nath Morgan
\$10 for me.

And further this deponent saith not.

M. E. Thomas

H. R. Bales, a witness of lawful age, being first duly sworn, deposes and says:

Quest. 1 Did you know Joseph Thomas in his life time?

Ans. I did.

Quest 2 Please state whether or not you were indebted to him in any sum at the time of his death, if so how much, & when it was, & to whom paid?

Ans. I suppose H. C. T. Richmond and I were indebted to him. We borrowed of him on Aug. 1st, 1884, \$524⁷/₁₀₀. This note we paid to John M. Morgan, or to his order.

X Examined.

1 Question. How much of the sum paid by you on said note was paid to Joseph Thomas' widow or children.

Ans. My recollection is that I paid two little orders of John M. Morgan to Mrs. Thomas; one order of \$8.20 and the other order of about \$3⁰⁰/₁₀₀.

And further this deponent saith not.
W. H. Bolco

Marion Moore, a witness of lawful age, after being first duly sworn, deposes and says:

Quest. Did you know Joseph Thomas in his life time?

Ans. I did.

Please state whether or not you owed him any sum of money at the time of his death, if so how much, when it was, to whom paid & all about it.

Ans. I owed him \$75 for land at the time of his death. Said indebtedness was evidenced by a note of equal date of the deed that is now of record in the clerk's office of Lee County, Va. Said note bore interest from Jan. after the date of said deed from Thomas to me.

I paid said ^{note to} P. F. Chance who held ~~the note~~ ^{it} as assignee of J. M. Morgan, - as said Chance

Witness
claims
50 cts.)

told me that he had gotten
said note from Morgan.
I think the note amounted
to a little over \$80 at the time
I paid it off. I paid it off
some time in March or
about 15 mos. after it was
due.

And further this deponent saith not,
Maan Maare.

L. D. Fulkerson, a witness of lawful
age, being first duly sworn, de-
poses and says:—

Quest. 1 Did you know Joseph Thomas
in his life time?²

Ans. I did.

Quest. Please state whether or not
said Thomas was indebted to you
in any sum at the time of
his death, - if so has John M.
Morgan for his administrator
paid you anything thereon?²

Ans. He owed me a few dollars -
I do not remember the exact

amount, - I think about \$10.
John M. Morgan nor no one
else has ever paid me said
sum. Said sum of \$10 was
a balance on the purchase
price of a mill which I
sold said Thomas. All of
the purchase price ^{of said mill} was paid
me by Thomas in his life time
except said sum of \$10, - One
of the notes was lifted by Thom-
as in his life time; the other,
on which said \$10 was due,
I sent to some one at Jones-
ville - I think it was to J. M.
Morgan - I am not sure as
to this.

X Examined

1 question. Did you ever inform John
Morgan that you had a note on \$10.
Thomas or ask him for payment of
the same

Ans I don't remember that I ever
did.

Witness claims
50 cts

And further this deponent saith not

L. D. Fulkerson

L. N. Morgan as witness of lawful age
being introduced by the Defendants, af-
ter being first duly sworn deposes & says,

1. question. Did you purchase, from the
Adm^r of Joseph Thomas, ^{and} any corn the
fall after said Thomas, died, if so how much
and at what price?

Ans. I bought some corn; I can't
state how much. My impression
is that it was between 275 and
340 bushels. I paid as I re-
member 40 ^{cts} per bushels.

2 question. How did you pay for it?
Did you execute your note for it, tell
all about the transaction, so far as you
remember it.

Ans. Mrs. Thomas, the widow of Joseph
Thomas, was wanting some
money, and I paid her
\$10. I also paid Etta Thomas
(M. E. Thomas) \$5; and I execu-
ted my note to John W. Morgan

The Admr, for \$112, and some cents. I do not remember the number of cents. This was the remainder for the corn after taking off the \$15- aforesaid. Said \$15- was paid by the direction of J. M. Morgan, as Admr.

- 3 Who measured and attended to the measuring of said corn for the Administrator and heirs of Joseph Thomas?

Ans Hiram Mink.

- 4 What relation, if any, was Hiram Mink to Joseph Thomas?

Ans Mink was a son-in-law of Thomas.

- 5 Did you for John Morgan, and at his direction pay any of Joseph Thomas' ~~heirs~~ anything if so which ones, how much cash and when said payments were made as nearly as you can remember.

Ans. Besides the \$15- above mentioned, I paid Mrs. Thomas, the widow, \$15- & M. E. Thomas \$10. I also paid Chas Thomas and John

1
Thomas \$61, and some cents,
each. - I think it was either
60 or 65^{cents} I took the receipts
of both Chas. and John - I
put said receipts away and
I think I can find them.
I do not remember whether
I took the receipts of Mrs. Thomas
and M. E. Thomas or not.

I think the first payments of
\$15 was paid either in Dec. 1884
or in the Jan. or Feb. following.
The other money that I paid to
Mrs. Thomas and M. E. Thomas
was paid in the Spring or
Summer of 1885. I paid
the \$61 to Chas. Thomas about
March or Apr. 1889. I paid
John Thomas about two years
after I paid Chas. I had
proposed to pay this money
some time before to Hiram
Mink their guardian, but
he asked me to keep it, and

pay interest on it, which I did. Said Mink was present when I made the payment to each one of the boys, and he took their receipts at the same time. This sum of \$61 was the principal due each of these parties.

So much of this answer as to the dates of payments & other matter contained in receipts therefor is objected to because the receipts are the best & proper evidence. As for Pff-

6 Was 40 cents per bushel a fair cash price for the corn you purchased from said ~~Sam~~ Sam?

Ans. It was.

7 How did you take the corn, as it came or was it assorted?

Ans. I took it as it came, I offered to take it at 50 cts. assorted, but they would not let me have it, as they thought it was better for the estate to sell it straight.

8 Was the corn which Mrs. Thomas^{and M E Thomas} got
assorted and delivered to them, and when
was yours delivered

Ans. Thine were assorted, I think.

All of this corn was delivered at
the pile.

Quest. & Examined -

1 Did you buy said corn at
public auction?

Ans I did not.

Quest 2. Was there any more corn left
after you got yours away belonging
to said estate?

Ans. I do not remember; I did not
get all of his half.

Quest. Give your best impression as
to how much was left?

Ans. My impression^{is} that I got all
that was left, after the hands
were paid for gathering said
corn, and after Mrs. Thomas
and M. E. Thomas got what
they did.

Quest. Was it not proper & customary

for the tenant to gather the corn & at their expense?

Ans. It is generally that way I suppose. Joseph Thomas himself was the tenant.

Quest. How much land did said Thomas have in corn, what was the character of the land & how ^{much} per acre do ^{you} think it would bring.

Ans. He had 22 or 23 acres in corn. It was very good land, but said to be the sorriest field on the farm ^{for corn}. I think it brought from 35 to 40 bushel that year.

Mr. Thomas, the tenant, was to have half of the corn that was raised on the land. H. J. & J. D. Morgan got the other half.

Quest. Is ~~the~~ Mrs Joseph Thomas ~~living~~ dead, if so, when did she die?

Ans. She is dead. My impression is she has been dead from 5 to 7 years. I am just informed

by her son that she has been
dead 8 years next July.

Quest. Did you pay the widow or the
children of Joseph Thomas any
money except what your
owed said Admr, for the
corn you purchased?

Ans. I think John M. Morgan the Admr
left some money with me a time
or two to give to them, I think
he left \$25 with me at one time
to pay to them. This may be all,
I do not remember others.

Quest. How did you pay M.E. Thomas
the \$10⁰⁰ mentioned in your
answer to question 5 by Deft?

Ans. I paid her \$10 some way - It may
be that Hiram Mink bought a
hog from me for her.

Quest. Is it not a fact that you counted
up what the corn ~~was~~ would
bring at 40 cts per bushel for some
of the heirs & that it amounted
to the sum of \$240⁰⁰ or thereabouts.

Ans. I cannot answer the question
diffinitely. If I said \$240, I sup-
pose something else was added
in to make it \$240.

Quest. Is it not a fact that you
told Chas Thomas this morning
at the depot here that the
way he got the 600 bushels
in his mind was, you
guessed from your counting all
what the corn would bring
(at the time of sale)
at 40 cts per bushel \$240 $\frac{00}{100}$

Ans. I did not.

Quest. Will you please present the
receipts to the court for the
payments to Mrs. Thomas & children
mentioned in your examination
in chief?

Ans. I will if I have them - I have
not them now at hand.

And further this deponent saith not.

C. R. Morgan

Charles Thomas being re-examined by
the Defendants.

- 1 question. Please state as nearly as you can the date of the sale of your father's property.

Ans. Sept 30th 1884, I think.

2. Were you present when your father's property was appraised by J. C. Tannoy, John Rowland and John W. Woodward.

Ans. I was.

3. Did said appraisers, appraise all the property that was afterwards sold, except, the corn that was then growing.

Ans. There was some wheat that was only guessed at by the appraisers. They appraised it at 120 bu., but it turned out on measurement to be 212 bu. There was some notes not appraised. This is all that I know of.

4. I notice in your examination heretofore that you say there were four fat hogs sold by the Adm. I see there were only two fat hogs appraised do you know which is correct.

The above question is objected to because the witness has before been examined & cross examined. A re-hashing is not an undue advantage &c. - for plff -

Ans. My recollection is there were four sold.

5. Please state how much if anything the Admin. of your father's estate, or any one for him, has paid you out of your father's estate.

[Dec. you give receipts for all payments made to you by said Admin. or those for him. Or for Plff-
Ans. I did]

The above question & any answer thereto is objected to because the receipt given to said Admin. is the best & proper evidence

Cornally for Plff-

Ans. Nath Morgan and Hiram Mink, my guardians, paid me in some kind of a settlement paid me \$61, and I think 65 cents. I am not positive as to the number of cents. This was the last of March or the first of Apr, 1889.

6 Do you know of any payments made by said Administrator for or ~~to~~ your mother if so please state, what they were and when made.

Ans. I do not.

7 Do you know of your mother giving

any orders to any person, to said Adams if so state to whom and the amount thereof if you know it.

Objected to be asked said orders if any, are the best evidence &c. On atty for Plff-
 Ans. I heard my mother talk about giving an order to G. B. Burchett - but I do not remember the amount. This is all I remember of now.

8. Do you not know that she gave orders to W. R. Bales.

Ans. I do not.

And further this deponent saith not.

Charley Thomas

H. C. T. Richmond another witness of lawful age being duly sworn deposes.

1 question. Did the late Joseph Thomas owe you anything at the time of his death if so how much, and how was the same paid to you

Ans. He owed me \$30.89, ~~xxx~~ including his funeral expenses.

W. R. Bales and myself owed him a note for \$524.17 - This sum of \$30.89 was credited to me on said note. I also paid Apr 22, 1885 - to Mrs. Thomas, widow of Joseph Thomas, \$4.59, and Nov. 1885, \$5.67 more

both of these sums was paid
by crediting the note and
on an order ~~from~~ ^{to} J. M. Morgan
~~from~~ Mrs. Thomas.

And further this deponent saith
noh.

H. T. Richmond

John M. Morgan, a witness of
lawful age introduced
by the deft, being first duly
sworn deposes and says:-

Ques I hand you a warrant
upon which judgment is
rendered against you as the
Admr. of Joseph Thomas, which
judgment was rendered on
the 25 day of Jan. 1887 for
the sum of \$7.00, and \$1.20 cost.
Will you please state whether
you have paid and lifted
said judgment.

Ans. I have. I paid it soon after
the time it was obtained.

2 Ques. I hand you an acct. in favor of Dr. J. D. Morgan for \$15, proved Sept. 22, 1884. Please state if you have paid this acct. and also state whether or not this acct. was not for medical services rendered Joseph Thomas in his last sickness.

Ans. This was a bill due Dr. J. D. Morgan for medical attendance on Joseph Thomas in his last sickness. This acct. was paid by me to said Dr. J. D. Morgan. I paid this money out of about the first money that was collected by me as Admr.

3 Ques I now hand you a warrant in favor of G. B. Burchett, for which judgment was rendered on the 16 day of Oct 1885, for \$8.00, with - 60 cts - costs. Another judgment in favor of the same party, rendered on the 8th day of Jan. 1887, for

\$8.76 and \$1⁰⁰/₁₀₀ costs.

Please state whether or not these two judgments were paid by you?

Ans. They were paid by me.
4 Ques. I now show you a judgment in favor of Daniel Ayers against E. and W. J. Harber on a garnishee and attachment in which judgment is rendered against you as Admr. of Joseph Thomas, on the 19th day of March, 1885, for \$92.50, with ~~but~~ interest from Oct. 1, 1883; with \$1.70 costs. If you have paid any amount on this judgment please state how much and as near when it was as you can.

Ans. I paid Daniel Ayers on this judgment \$49.55; This was paid soon after the judgment was rendered.

5 Ques. I show you an order ~~and~~ receipt given to G. B. Burchett

by Alice Thomas on you
for \$5.50, and dated March
26th 1887. Please state whether
this order was paid off by
you, ~~when~~ it was, and
whether you paid it as
Admr. or out of your
personal funds?

Ans. I did pay said order - I
paid it as soon as it was
presented, and I paid it
out of the funds that was
in my hands as Admr. of
Joseph Thomas, dec'd.

6 Ques. I hand you two orders
drawn on you by Mary E.
Thomas - one drawn in favor
of William Boles for \$10.48, and
dated June 14th, 1885; the other
drawn in favor of G. B. Bur-
chett for \$29⁰⁰/₁₀₀, and Oct. 18, 1886.
Please state if you paid off
these two orders, and when
it was.

Ans. I have paid them off, and
I paid them as soon as
presented after drawn.

7 Ques. I show you two orders,

one is for \$20, dated Oct. 9, 1885, the other dated Oct. 17, 1885, for \$20, by R. Helander Ayers, State- if the said R. Helander Ayers is a daughter of and one of the heirs of Joseph Thomas dec'd and state- whether you paid said orders?

Ans. She was an heir at law of Joseph Thomas dec'd, and I did pay said orders as soon as presented to me.

~~Ques 8. I now show an acct. in favor of James D. Morgan for \$1000 with interest from Mar. 20 '84.~~

Ques 8. I now show you two receipts of Arty M. Mink, one of which is signed Arty M. Thomas, and this last receipt is for \$2.25- and the other is for \$37.75. Please state- if this lady is a daughter of Jos. Thomas, dec'd, and if so state- whether she executed said receipts to you by making her marks there to,

Ans. She is a daughter of said Jos. Thomas, dec'd. and she did execute said receipts to me by making her mark,

9 Ans. I now show you an order dated June 18, 1885, given to G. B. Burchett by Catherine Cormany and Vince Cormany her husband, for \$42¹⁵/₁₀₀. State whether the said Catherine is a daughter of Jos. Thomas, and if so, state whether you paid and lifted said order?

Ans. She is ~~an~~ daughter of said Joseph Thomas, and I paid said order to H. J. Morgan who presented it to me,

10 Ques, I now show you a receipt
for \$45, dated Aug. 23, 1887.
Please state - if H. H. Mink
is the husband of Arty Mink;
and if so, whether the said
~~H. H.~~ Mink rec'd said
money for his wife and
as her agent?

So much of this question & any answer thereto as varies
the written receipt is objected to because receipt is best ^{order} is best
over 6 + 4 box plate.

Ans. He did not receive this money for his wife or as her agent. He received said money as the agent of Catherine Carmany and R. Helen Ayers.

11 Ques. I now show you a tax ticket made out against the estate of Andrew Chadwell, died, for \$3.64. State if you paid said ticket as Admin. of Joseph Thomas, and if so, how you came to pay it?

Ans. I did pay said ticket as said Admin. This ticket, as I was informed, was the tax on the mill lot purchased by Jos. Thomas from L. D. Fulkerson, the said Fulkerson having purchased said lot from a Commr. who was appointed ^{to sell} the Chadwell lands. This mill being a part of said Chadwell lands.

12 Ques. I now show you two orders of Elisabeth Thomas, both dated Nov. 23, 1885 - the 1st of which is to Wm R. Bolles

for \$75, the second to
Tammay & Boles, for \$10.92,
together with - a letter of
H. C. T. Richmond. State
if the said Elizabeth Thomas
was, at said date, the wid-
ow of said Jos. Thomas, dec'd,
also state - whether you
paid the same; and if so,
how they were paid.

Ans. The competency of this witness to
testify in regard to these
matters & others relating to the estate
papers & receipt &c of said Elizabeth
Thomas is denied & any question
& answer thereto by this witness are
excepted to the said Elizabeth Thomas
being proved to be dead -

H. A. Orr atty for Plff -

Ans. She was the widow of said
Joseph Thomas. I did pay both
of said order to said W. R.
Boles, and as I remember
by giving him credit on
a note that Joseph Thomas
held against H. C. T. Richmond
and W. R. Boles.

13 Ques. I now show you an order

of Elisabeth Thomas to Thomas
Leavin for \$5⁰⁰/₁₀₀. Did you
pay said order?

Ans. I did pay said order, and
I here hand you another
order of the said Elisabeth
Thomas to G. B. Burchett, da-
ted Oct 18th, 1885, which I
also paid.

I now hand you another
order of the said Elisabeth
Thomas to Chas. Thomas,
dated June 25 —, for \$10.25,
which I paid to the said
Chas Thomas. I think I
paid said order in the year
1885, ~~and~~ at the request
of said Elisabeth Thomas I
paid her taxes for the year
1885, amounting to \$3.82,
and, ^{also} her taxes for the year
1886, amounting to 85^{cts}.

I now hand you a note
on E. Harber, husband of
Nannie J. Harber, one of
the plffs. in this suit, for
\$12¹⁰/₁₀₀. This note was executed

objected to his name for
 appraisement of Hester's Hogs
 should be in writing - H.C.

Wm. G. Orr, Atty

for property purchased at
 said sale of the personal
 property of said Thomas
 and has never been paid
 to me, and the understand-
 ing between said Nancy
 and me was that said
 note was to come out
 of her part of the estate.
 I also paid H.C.J. Richmond
 \$1.00 for Chas. Thomas.

14 Ques. I see there was appraised to
 you two fat hogs. Chas.
 Thomas in his deposition in
 this case states that you
 sold 4 fat hogs to G.B. Bur-
 chett for \$50. Can you
 state which is right, Mr.
 Thomas' statement or the
 appraisement.

Ans. The appraisement is right -
 I only sold two fat hogs.
 The wheat I sold at the sale only
 sold for 75 cts and 80 cts per
 bushels.

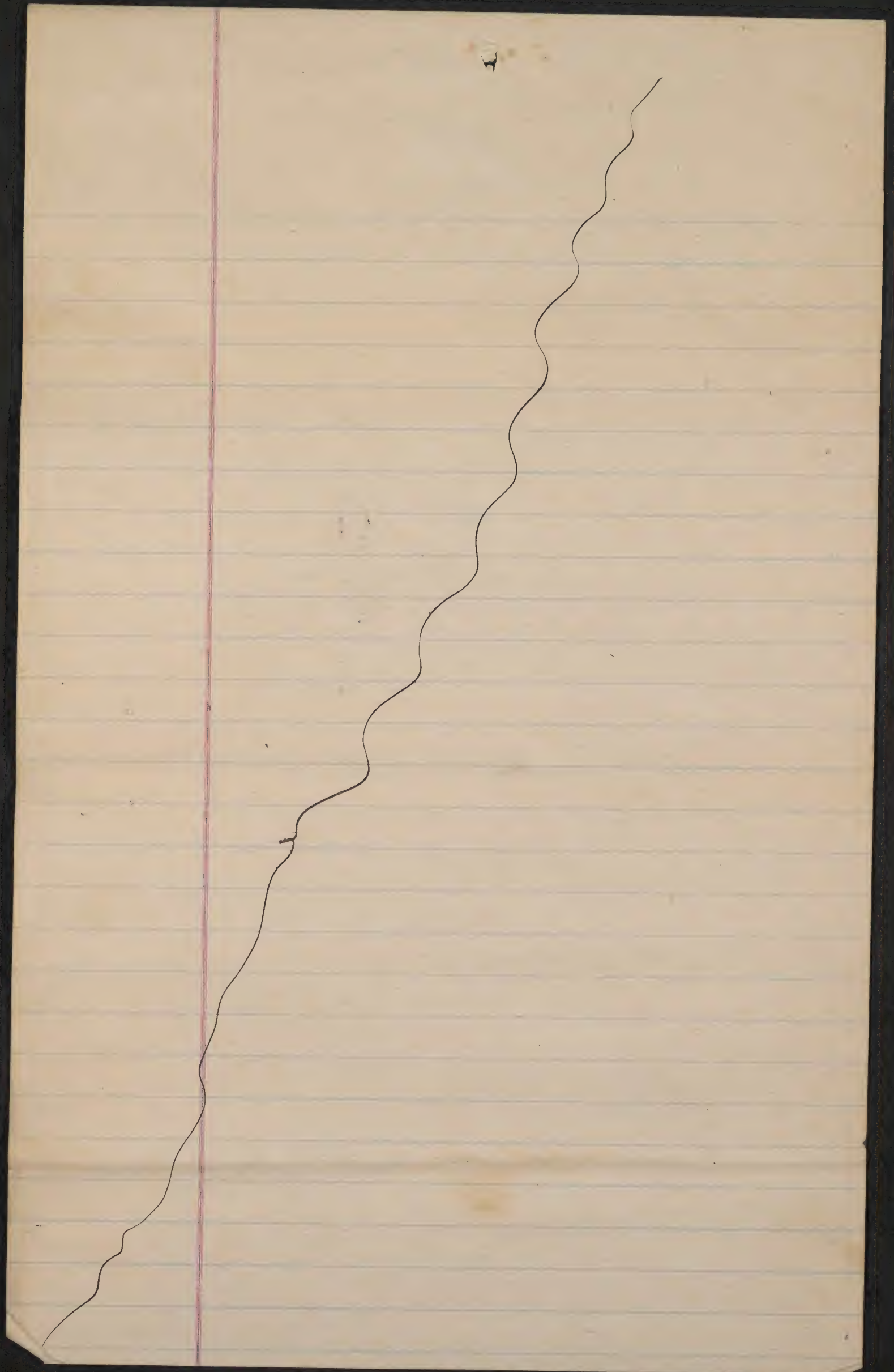
I know that I paid to
 R.M. Bales a debt which

Jos. Thomas owed him.
I did not pay this debt
for a year or more after
the sale notes became due,
nor do I know the exact
amount of it, as I cannot
find any receipt for it.

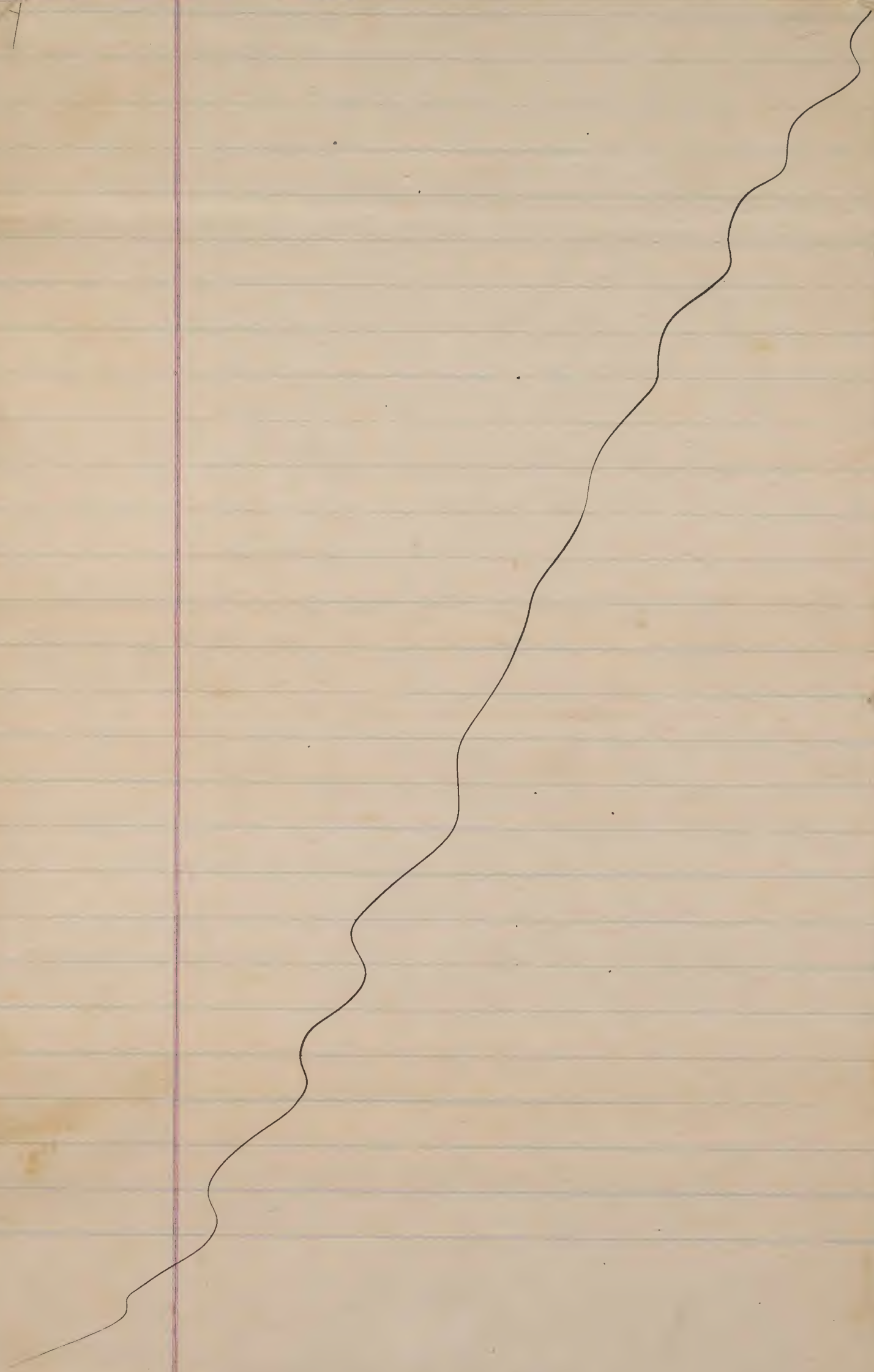
The principal of said debt
was \$15- and there was 2, 3
or 4 years interest on it.

I also now hand you
receipt of John Thomas, paid him
by E. M. Woyan for me, amounting
to 61⁶⁵¢. This was paid out of
the Administration Money of
Joseph Thomas ^{Estate}, deceased and John
Thomas was one of the heirs
of Joseph Thomas dec'd.
And further this deponent
saith not.

Jos M. Woyan.



4



G. B. Burchett, a witness of law-
ful age, being first duly sworn
deposes and says:

I was present at the sale ^{of the personal} made
by John M. Morgan, Admin^{or} of Joseph
Thomas' ^{estate}; I purchased at said
sale \$34, and some odd cents,
worth of hogs - There were
some 4 or 5 of said hogs.

My understanding was at the
time that there was between
500 and 600 bushels of corn.
I helped to shuck said corn,
and, judging from the
bulk in the pile, ~~there~~
~~were~~ I would judge there
was that much.

The judgment of myself
against John M. Morgan, Admin^{or},
filed by said Morgan,
dated Jan. 25, 1887, for \$8.76
and \$1.00 costs, has never
been paid me.

The hogs I bought at the
above sale were, three fat
hogs and two open sows.

The fat hogs weighed about 200 each and hogs were selling at 5 cts.
And further this deponent saith - not.

G. B. Burchett

Witness
claims
\$8.76

Virginia, Lee County, to-wit:

I, A. M. Gains, Special Commr.
in this cause, do hereby certify
that the foregoing depositions
were duly taken before me
under oath after notice to
the parties, and subscribed before
me, and to be read by me
in determining the questions
referred to me as commr. in
this cause.

Given under my hand this
Sept 10th 1894,

A. M. Gains.
Special Commr.

Nannie Harber et al

vs { Deho

J. M. Morgan Admstr

20"

Net 782

Hannie Harber et al.

vs.

John M. Morgan, Admr., et al. } In Chy.

To the Hon. H. T. Miller, Judge
of the Circuit Court for Lee County, Va.
Your undersigned Special Com-
missioner, in pursuance of a de-
cretal order of the Circuit Court
of Lee County, pronounced on the
8th day of March, 1894, having
given due notice to all parties
concerned, proceeded on the 26th day
of March, 1894, and on succeeding
days thereafter, to execute said
order; and his proceedings having
been adjourned from day to day,
and from time to time, and being
at length completed, the result is
herewith respectfully submitted:

Your comr. was directed by said
decretal order aforesaid, "to make,
state and settle" the Administra-
tion account of John M. Morgan,
Administrator of the estate of Joseph
Thomas, deceased — charging him
with what estate went into his
hands as said Administrator, or
should by due diligence have gone
therein, and to report ~~any~~ other
matter deemed pertinent by himself,
or required by any of the parties in-
terested to be reported.

Your Comr. files herewith, as part hereof, marked "H," a list of the property which he considers proper to charge to said Administrator. Part of the articles charged in said list, and the prices of the same, your Commissioner takes from the Appraisement bill, a copy of which is herewith filed marked "G," the other part of said articles and the prices thereof, he takes from the testimony of the witnesses as set forth in the depositions herewith filed marked "D." Said Administration having failed to file in the County Court clerk's office a report of his Administration sale, the only way that your Comr. could ascertain what estate went into his hands for administration was to resort to the appraisement bill and to the testimony of parties acquainted with the facts of what did go into his hands. It will be seen by an inspection of said list that it foots up \$2522.67, but this sum includes interest on the several articles from the time ~~they~~ began to draw interest up to the 5th day of Nov, 1894.

Your Comr. files herewith, marked "B" and "D," two lists, which show the amount of the credits to which he considers said Administrator entitled. It will be seen by an inspection of said list "B," that it foots

up \$15-47.55, but interest is also counted on the items in this list from the date they were paid out up to the 5th day of Nov., 1894.

Said sum of \$15-47.55, the amount disbursed by the Admr., deducted from \$25-22.67, will leave a balance in the hands of said Admr., as of Nov. 5, 1894, of \$975.12.

Your Comr. in this settlement does not allow said Administrator any commissions for his services as administrator, for such, according to law and equity in cases like this, he is not entitled.

At the request of the parties interested, your comr has ascertained and herewith reports the parties to whom, and the amount to each, the fund yet in the hands of the Admr. is still due. This enquiry will be fully seen in "general statement" herewith filed marked "C."

All of which is respectfully submitted, this Oct 1st, 1894,

A. M. Goins.
Special Comr.

" H "

Nannie Harbertal

vs { Comr's Report.

J. M. Morgan, Admr

Filed Oct. 1, 1894,

A. B. Munsey C

Comr's fee, \$48.00

Expenses, - 2.26

Total, = \$50.26

Witnesses Exp 7.82

Virginia: -

1 At a County Court begun and held
2 for Lee County, at the Court House thereof, on Tuesday
3 the 16th day of September, 1884.

4 It appearing to the Court that — Thomas, the
5 widow of Joseph Thomas, deceased, claims her right to
6 administration on the estate of her deceased husband, in
7 favor of J. M. Morgan, ^{son of said Thomas} who took the oath as ~~said~~
8 administrator of said estate, and together with
9 J. D. Morgan, his security, entered into and acknowledged
10 a bond in the penalty of \$2500⁰⁰
11 conditioned according to law.

12 A Copy, — Test: S. V. F. Richmond clerk
13

Know all Men, by these Presents, That We, John M. Morgan
+ Jas. D. Morgan

of Lee County, are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of \$2500⁰⁰ dollars,
for the payment thereof, well and truly to be made to the said Commonwealth. we bind ourselves, our heirs, executors and administra-
tors, jointly and severally, firmly by these presents. And we each hereby waive the benefit of our homestead exemption as to this ob-
ligation. Sealed under our seals and dated this 16th day of Sept 1884. The condition of the above obligation is such
that, whereas the above bound John M. Morgan has this day been, by the County Court of
Lee, permitted to qualify as ADMINISTRATOR of the estate of Joseph Thomas deceased:

Now, if the said John M. Morgan his
Admin shall faithfully discharge the duties of said office
according to law, then the above obligation to be void, otherwise to remain in full force and virtue.

(SEAL.) Acknowledged in Court. (SEAL.)

(SEAL.) John M. Morgan (SEAL.)

(SEAL.) Jas. D. Morgan (SEAL.)

+ Copy Teste, S. V. F. Richmond clerk

J. M. Morgan Admors
Copy of Qualification
Bond & C

Kannin Harbor et al
vs } In Chy

J. M. Morgan Adm et al

" "
A. "
" "

Fine of County Clerk
50 ¢

List of the property charged to J. M.
Morgan, Admr. of Joseph Thomas, decd
by A. M. Goins, Special Commr., with Int. &c.

1884	4 Augers, @ 25 cts,	1 00
Sept.	1 Drawing knife,	25-
20.	1 Old axe,	20
	1 Harrow,	2 00
	2 Shovel plows & stock,	1 00
	1 Double shovel plow,	1 50
	1 Oliver plow,	7 00
	1 Cain mill,	10 00
	1 Briar sythe,	50
	16 Bee hives,	16 00
	1 Grind rock,	20
	1 Sythe & cradle,	1 00
	2 pr. plow gears,	1 00
	6 sheep	14 00
	3 fat hogs & two open sows,	34 00
	5 shoats,	7 00
	1 Crippled heiffer,	1 00
	1 Red heiffer	30 25
	1 Cow,	28 00
	2 Heiffers,	57 00
	1 Cow & calf,	40 00
	1 Colt	42 75
	1 Mare	134 75
	56 Doz. oats, @ 13¢ per doz.	7 28
	212 bus. wheat,	169 60
	340 bus. corn, @ 40 cts. per bu.	136 00
	25 bus. corn, @ 50 cts. " "	12 50
	10 bus. corn, @ 50 cts. " "	5 00
	Total amt. of sales of personal property,	\$754 78
	Cash turned over to Admr.	17 00
	Total sum to draw interest from Sept. 30, 1885,-	\$771 78
	1 Note on Marion Moore (Int. from July 7, '84)	75 00
	1 Note on Roles & Richmond, (Int. from Aug 1 st , 1884)	5-24 17
	1 Note on Scott Davis, (Int. as of Sept. 30, 1884),	150 00
	2 notes on J. M. Morgan (Int. as of Sept. 30, 1884),	75 00
	Total sum in hands of Admr. to draw Int as above,	\$1595 95
	Int. on \$771.78 from Sept 3, '85, to Nov. 5, 1894,	421 26
	Int. on \$75, from July 7, '84, to Nov. 5, 1894,	46 46
	Int. on \$5-24.17 from Aug 1, 1884 to Nov. 5, 1894,	322 70
	Int. on \$150 and \$75, from Sept. 30, 1884, to Nov. 5, 1894,	136 80
	Total in hands of Admr. as of Nov. 5, 1894,	\$2522 67

List of Property
Charged to Admin.
with Interest &c.

"H."

Debits = \$2522.67

Credits = 1547.55

Bal. = \$975.12

List of Credits allowed to J. M. Morgan, Admin.
of Joseph Thomas, decid by A. M. Goins, Spe-
cial Commr.

"1"	Acct. of J. D. Morgan, gold loaned on Mar. 20, 1884, Int. to Nov. 5, 1894,	100 00 63 75-	163 75-
"2"	Tax ticket for 1884, Int. from Jan. 1, 1885, to Nov. 5, 1894,	3 51 2 07	5 58
"3"	Order of Elisabeth Thomas in favor of H. R. Boler, Mar. 21, 1885; Int. on same to Nov. 5, 1894,	8 20 4 23	12 93
"4"	Receipt of John Thomas, as of Jan. 1, 1890, Int. on same to Nov. 5, 1894,	61 65- 17 91	79 56
"5"	Note executed to L. D. Fulkerson, Sept. 3, 1883, Int. on same to Nov. 5, '94,	150 00 100 55-	250 55-
"6"	Acct. of H. C. T. Richmond, Dec. 16, '84, Int. to Nov. 5, '94,	30 89 18 32	49 21
"7"	Acct. of H. C. T. Richmond vs. Louisa Thom as, Aug. 10, 1885; Int. to Nov. 5, '94,	4 67 2 58	7 25-
"8"	Order of Elisabeth Thomas in favor of H. C. T. Richmond, Apr. 22, 1885; Int. to Nov. 5, 1894,	4 59 2 62	7 21
"9"	Note of M. E. Thomas, Oct 1, 1885; Int. to Nov. 5, 1894,	5 00 2 72	7 72
"10"	Acct. of H. C. T. Richmond vs Chas. Thomas, Sept. 2, 1885; Int to Nov. 5, 1894,	1 00 55-	1 55-
"11"	Acct. of S. H. Ewing, D. S., Oct, 3, 1884, Int to Nov. 5, 1894,	2 00 1 21	3 21
"12"	Acct. of J. R. Gibson, Clerk, Sept 16, '84, Int to Nov. 5, 1894,	2 95- 1 78	4 73
"13"	Acct. of J. D. Morgan, Sept. 22, 1884, Int to Nov. 5, 1894,	15 00 9 10	24 10
"14"	Note of E. Harber & G. B. Burchett, Sept 30, 1885; Int to Nov. 5, 1894,	12 10 6 60	18 70

'15"	Note of Jos. Thomas to G. B. Burchett, Nov. 8, '83, Int. to Nov. 5, 1894,	58 40 38 54	96 94
'16"	Receipt of Arty M. Thomas, Oct. 9, '83, Int. to Nov. 5, '94,	2 25 1 21	3 46
'17"	Receipt of Arty M. Mink, Oct. 9, '83, Int. to Nov. 5, '94,	37 75 20 47	58 22
'18"	Attachment of Daniel Ayers vs E. Har- ber & N. J. Harber, Oct. 1 st 1883, (See Dep J. M.) Int. to Nov. 5, 1894,	49 55 27 03	76 58
'19"	Receipt of H. H. Mink, Aug 23, 1887, [J. M. Morgan says Mink rec'd this money as Ag't. for Catherine Cormony & R. Helander Ayers, See his Deposition], Int. to Nov. 5, 1894,	45 00 19 40	64 40
'20"	Tax ticket against Andrew Chadwell, on the Chadwell mill property, as of Jan 1, '85, Int. to Nov. 5, 1894,	3 64 2 07	5 71
'21"	Receipt of R. Helander Ayers, Oct 17, '89, Int. to Nov. 5, 1894,	20 00 6 06	26 06
'22"	Order of Elisabeth Thomas in favor of W. R. Bolles, Nov. 23, '85; Int. to Nov. 5, 1894,	75 00 40 25	115 25
'23"	Receipt of Mary E. Thomas for cash, Mar (15) '89, Int. to Nov. 5, 1894,	15 00 4 17	19 17
'24"	Order of Mary E. Thomas in favor of William Bolles, June 14, '85, Int. to Nov. 5, 1894,	10 48 5 88	16 36
'25"	Order of Elisabeth Thomas in favor of Thomas Gavin, Mar. 5, 1886, Int. to Nov. 5, 1894,	5 00 2 60	7 60
'26"	Order of Lizzybeth Thomas in favor of G. B. Burchett, Oct 18, 1885; Int. to Nov. 5, 1894,	35 00 19 00	54 00

"27"	Order of M.E. Thomas in favor of E.B. Burchett, Oct. 18, 1885; Int. to Nov. 5, 1894,	29 00 15 74	44 74
"28"	Order of Elisabeth Thomas in favor of Vannoy & Bales, Nov. 23, 1885; Int. to Nov. 5, 1894	10 92 5 86	16 78
"29"	Order of Alice Thomas in favor of E.B. Burchett, Mar. 26, '87, Int. to Nov. 5, 1894,	5 50 2 50	8 00
"30"	Tax ticket of Elisabeth Thomas for 1885, paid as of Jan. 1, 1886, Int. to Nov. 5, 1894,	3 82 2 02	5 84
"31"	Tax ticket of Elisabeth Thomas for '86, paid as of Jan. 1, 1887, Int. to Nov. 5, 1894,	85- 37	1 22
"32"	Judgment of E.B. Burchett vs. J.M.M. Admr. & C. Jan. 25, '87, including \$1.20 costs Int. to Nov. 5, '94.	8 20 3 83	12 03
"33"	Order of Vince & Catherine Connolly in favor of E.B. Burchett, June 8, '85, Int. to Nov. 5, '94,	42 15- 23 80	65 95
"34"	Amt pd. Michael Roland for Chas Thomas Feb. 8, 1886, Int. to Nov. 5, 1894,	2 00 1 05-	3 05-
"35"	Order of Elisabeth Thomas in favor of Charley Thomas, June 25, '85, Int. to Nov 5, '94,	10 25- 5 75-	16 00
"36"	Acct. of Ettie Thomas at D.R. Smith's, Jan. 20, '85, Int. to Nov. 5, '94,	50 28	78
"a"	Acct. pd R.M. Bales, due as of Jan 1, '83, see deposition of J.M. & others, Int. to Nov. 5, 1894,	15 00 10 67	25 67
"f"	Order by Elisabeth Thomas in favor of H.R. Bales, as of Mar. 21, 1885; Int. to Nov 5, '94,	3 00 1 73	4 73

"c"	Corn bought by Elisabeth Thomas at sale, Sept. 30, 1885, Int. to Nov. 5, '94,	12 50 6 82	19 32
"d"	Amt. pd. Chas. Thomas per Nath Morgan, as of Mar. 15, 1889, Int. to Nov. 5, '94,	61 65 20 79	82 44
"e"	Amt. pd. M. E. Thomas per Nath Morgan, as of Jan. 1, '86, Int. to Nov. 5, 1894,	5 00 2 65	7 65
"f"	Amt. pd. by Hiram Mink to Nath Morgan for M. E. Thomas, as of Jan. 1, 1886, Int. to Nov. 5, 1894,	10 00 5 30	15 30
"g"	Amt. pd. Mrs. Elisabeth Thomas per Nath Morgan, as of Jan. 1, 1886, <u>Total Credits as of Nov. 5, 1894,</u>	25 00 13 25	38 25 <u>154 55</u>

List of Credits Allowed
to Admr. with Interest
to Nov. 5, 1894.

B.

General Statement.

Total funds in hands of Admr., as of Nov. 5, '94,			\$2522 67		
Indebtedness of decedent, funeral expenses &c.,				644	53
Fund for distribution after paying debts &c.,				1878	14
			\$2522 67	\$2522 67	
Fund for distribution bro't down,			1878 14		
Widow's 1/3 part,				626	04 2/3
Amt. to be divided among 8 children,				1252	07 1/3
			1878 14	1878 14	
Widow's 1/3 part bro't down,			626 04 2/3		
Amt. paid widow by Admr.,				306	38
Bal. due widow from Admr.,				319	66 2/3
			626 04 2/3	626 04 2/3	
Estate of Joseph Thomas to be divided among his eight children,			1252 07 1/3		
Estate of Elisabeth Thomas to be divided among her eight children,			319 66 2/3		
Net fund for distribution among 8 children,				1571	76
			1571 76	1571 76	
Net fund for distribution &c. bro't down,			1571 76		
Distributive share of M. E. Thomas,				196	47
" " " Catherine Cormony,				196	47
" " " Nannie J. Harber,				196	47
" " " Chas. Thomas,				196	47
" " " Artz Mink,				196	47
" " " John Thomas,				196	47
" " " R. Helen Ayers,				196	47
" " " Alice Thomas,				196	47
			1571 76	1571 76	
Distributive share of M. E. Thomas,			196 47		
"1"	Amt. paid her by Admr.,			111	72
	Bal. due from Admr. as of Nov. 5, '94,			84	75
			196 47	196 47	
Bal. due from Admr. bro't down,			\$84 75		
Distributive share of Catherine Cormony,			196 47		
"2"	Amt. paid her by Admr.,			98	13
	Bal. due from Admr. as of Nov. 5, '94,			98	32
			196 47	196 47	
Bal. due from Admr. bro't down,			\$98 32		
Distributive share of Nannie J. Harber,			196 47		
"3"	Amt. paid her by Admr.,			95	28
	Bal. due from Admr. as of Nov. 5, '94,			101	19
			196 47	196 47	
Bal. due from Admr. bro't down,			\$101 19		

"4"	Distributive share of Chas. Thomas,	196 47		
	Am't. paid him by Admr.,		83 99	
	Bal. due from Admr., as of Nov. 5, '94,		112 48	
		196 47	196 47	
	<u>Bal. due from Admr. bro't down,</u>	<u>\$112 48</u>		
"5"	Distributive share of Arty Mink,	196 47		
	Am't. paid her by Admr.,		61 68	
	Bal. due from Admr., as of Nov. 5, '94,		134 79	
		196 47	196 47	
	<u>Bal. due from Admr. bro't down,</u>	<u>\$134 79</u>		
"6"	Distributive share of John Thomas,	196 47		
	Am't. paid him by Admr.,		79 56	
	Bal. due from Admr., as of Nov. 5, 1894,		116 91	
		196 47	196 47	
	<u>Bal. due from Admr. bro't down,</u>	<u>\$116 91</u>		
"7"	Distributive share of R. Helen Ayers,	196 47		
	Am't. paid her by Admr.,		58 26	
	Bal. due from Admr., as of Nov. 5, '94,		138 21	
		196 47	196 47	
	<u>Bal. due from Admr. bro't down,</u>	<u>\$138 21</u>		
"8"	Distributive share of Alice Thomas	196 47		
	Am't. paid her by Admr.,		8 00	
	Bal. due from Admr., as of Nov. 5, '94,		188 47	
		196 47	196 47	
	<u>Bal. due from Admr. bro't down,</u>	<u>\$188 47</u>		
The Admr. is due each of the eight children as follows:-				
	(1), M E Thomas,	\$84 75		
	(2), Catherine Connors,	98 32		
	(3), Nannie J. Harber,	101 19		
	(4), Chas. Thomas,	112 48		
	(5), Arty Mink,	134 79		
	(6), John Thomas,	116 91		
	(7), R. Helen Ayers,	138 21		
	(8), Alice Thomas,	188 47		
	<u>Total sum due the 8 children as of Nov. 5, '94,</u>	<u>\$975 12</u>		

General Statement

"6"

The amount to each, and the parties to whom, John M. Morgan, Admr. of Jos. Thomas dec'd, has paid out the funds in his hands as said Admr.

To the Creditors of Jos. Thomas dec'd,	644	53		
" Elisabeth Thomas,	306	38		
" M. E. Thomas,	111	72		
" Catherine Cormony,	98	15		
" Nannie J. Harber,	95	28		
" Chas. Thomas,	83	99		
" Arty Mink,	61	68		
" John Thomas,	79	56		
" R. Hellen Ayers,	58	26		
" Alice Thomas	8	00		
Total funds paid out, as of Nov. 5-'94	\$1547	53		

Funds paid out
by the Admr. &c.

"D."

In pursuance of an order of the County Court of Lee Co. Va we the undersigned appraisers of the Estate of Joseph Thomas Deed met at his Late residence on the 29th day Sept 1894 and was shown the following Personal property which we herewith record and followed by the amount we believe to be a fair cash value of said Property to wit:-

4 Augers at 25¢ E.	\$1.00	2 Fat Hogs \$6.00 E	\$10.00
1 Drawing Knife	25	1 Saw & Pig 7.00	7.00
1 Old Axe	20	5 Shoats 7.00	7.00
1 Plow	1.00	1 Crippled Heifer	1.00
2 Shovel Plows & Stock 3.00	1.00	1 Red Heifer	25.00
1 Double Shovel Plow	1.50	1 Mule Cow	18.00
1 Oliver Plow 2 horse	5.00	1 Red Cow and calf	25.00
1 Cane Mill	10.00	1 Bone Heifer	17.00
1 Brier Sythe	50	1 Red Bone Heifer	18.00
15 Bee Hives	12.00	1 Blk Colt	30.00
1 Grind rock	10	1 Day Mare	90.00
1 Sythe & Cradle	1.00	56 Day Cows 13¢ Pr Day.	7.28
2 Pr Plow Geese	1.00	115 Bushels Wheat at 75¢ pr Bu	86.20
6 Sheep at 15.0 E	9.00	5 Bushels wheat at 75¢ pr Bu	3.75
			\$388.78

Virginia Lee County to wit:

We John H Woodward John L. Rowland and J C Faney three Citizens of the County and State aforesaid after first being duly sworn have appraised property of the Late Joseph Thomas as above listed and we do hereby certify that the amount herein set forth is a fair cash valuation given under our hands this 29th Sept 1894.

John W Woodward
John L Rowland
J. L. Nancy.

Virginia Lee County Court Clerk's office
the 4th day of Oct 1884.

The foregoing appraisement Bill of the personal
property of Joseph Thomas Deceased was
this Day filed in this office and admitted
to record.

Teste John R Gibson Clerk

A Copy Teste: A. V. L. Richmond clerk

Appraisement Bill
of
the personal property
of Joseph Thomas
Deceased

Will Book 3

Page 600

-4-

Clerk's Fee

\$ 30.00

O.K.	H. G. T. Richmond	169.62
O.K.	J. D. Morgan	115.00
O.K.	H. G. T. Richmond	62.34
O.K.	Same	30.89
O.K.	Same	4.67
O.K.	John R. Gibson	2.95
O.K.	H. G. T. Richmond	4.59
O.K.	Elizabeth Thomas, ord.	5.00
O.K.	H. S. Mink	45.00
OK	Arty Mink } prove Signa-	2.25
OK	Arty Mink } time	37.75
O.K.	Alice Thomas	5.50
OK	Mary E Thomas	15.00
		<u>500.56</u>
	Receipt of Chas Thomas pd	61.65
	" " John " pd.	61.65
		<u>\$623.86</u>
	Other items not pd	263.63
		<u>\$887.49</u>

1891.50
 423.86
 811.01
 2522.67
 1711.80

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *John M Morgan admr of*
the Estate of Joseph Thomas decd James D Morgan
Catherine Harmony. Arta Mink, John Thomas,
and Charley Thomas

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said
Court on the *1st* Monday in *January*, 189*4*, to answer a bill in Chancery,
exhibited against *them* in our said court by *Nannie Harber*

Ellen Ayers, Etta Thomas, & Alice Chadwell

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the *5th* day of *December* 189*3*, and in the 11*8th* year of
the Commonwealth.

A. B. Munsey Clerk.

125

675

120
5
600

1120

1120

1120

1120

1200

Minnie Harber et al

US. { SUBPENA
IN CHANCERY.

J M Morgan et al

Wm A Orr p. q.

To 1st January Rules,
Circuit Court. March 1894

Executed by delivering a
true copy of the within summons
to J. M. Morgan James L. Morgan
Katherine Clarynny Arta
Mink John Thomas and
by delivering a true copy
of the within summons to
Elizabeth Thomas and explaining to her its purpose
being the wife of Charles
Thomas and over 16 years
of age and a member of his
family and at her usual
place of abode and to the said
Charles Thomas being absent
from his usual place of abode
this Dec 27 - 1893 J. M.
Weston Deputy Jas C. E.
Flonary S. L. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

John Thomas, Charles Thomas, Wm R. Bolz, ~~Roma Moore~~ Marian Moore and Barnie Hamble

A. M. Hoins, Clerk of the to appear before the Judge ~~of our~~ Circuit Court of Lee County, *at his Office in Jonesville* at the court house thereof on the *9th* day of *April* 1894, to testify and the truth to say in behalf of *Nannie*

Harriet et al in a certain matter of controversy in our said Court, before the said *Clerk* Judge depending and undetermined between *Nannie Harriet et al*

Plaintiff

and *John M. Morgan Adams et al* Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *29th* day of *March* 1894, and in the *11th* year of the Commonwealth.

A. B. Munsey Clerk.

S 1.00

Mamie Harber

vs }

SUBPENA
FOR
WITNESS.

John M. Morgan et al

Circuit Court, the 9th day of

April 1894.

executed in part
by summoning
the within witnesses
except Marian Mure
and sent summons
to him. this April the
7-1894.

J. B. Weston L.S.
for C. E. Flanary
S. L. b.

The Commonwealth of Virginia,

or any Courtable

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

L. W. Morgan, Mary E. Thomas, Wm R. Bolis, H. C. J. Richmond, L. D. Fulkerson, Marion Moore, Prince

Barrow, G. M. Jones, Commissioners, at Ewing Depot, Lee Co., Va.
to appear before ~~the Judge of our Circuit Court of Lee County, at the court-house thereof~~ on the *30th*

day of *April* 189*4*, to testify and the truth to say in behalf of the *Nannie*

Harber

circuit
in a certain matter of controversy in our said Court,

before the said Judge depending and undetermined between *Nannie Harber*

Plaintiff

and

J. M. Morgan, Admin et al

Defendant :

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *7th* day of *April* 189*4*, and in the 11 *8* year of
the Commonwealth.

A B Munsey Clerk.

Nannie Harber et al

vs

SUBPENA
FOR
WITNESS.

J M Morgan et al

Circuit Court, the 30th day of

April 1894.

Const 140

Exhibited By Summons
Each of the parties
named in this
Subena abandin
to each

A J Sutton Const